

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ASA SEMBE GOUDIABY,

Defendant.

CR 22–17–BU–DLC

ORDER

Before the Court is United States’ Unopposed Motion for Amended Preliminary Order of Forfeiture. (Doc. 70.) The Court entered a preliminary order of forfeiture on August 9, 2022. (Doc. 69.) The United States’ motion states that the FBI subsequently submitted a Hi-Point C9 9mm, SN P1600847, for forfeiture, and the motion requests that the Court enter an amended preliminary order of forfeiture that includes the firearm. (Doc. 71 at 2.) Defendant Asa Sembe Goudiaby does not oppose. (Doc. 70 at 2.)

Defendant Asa Sembe Goudiaby has been adjudged guilty of possession with intent to distribute methamphetamine as charged in the Superseding Information. (Doc. 68.) As such, there is a factual basis and cause to issue an amended preliminary order of forfeiture, pursuant to 21 U.S.C. § 853(a)(1) and (2).

Accordingly, IT IS ORDERED the motion (Doc. 70) is GRANTED.

IT IS FURTHER ORDERED that Asa Sembe Goudiaby’s interest in the

following property is forfeited to the United States in accordance with 21 U.S.C. § 853(a)(1) and (2):

- \$569.00 U.S. Currency; and
- Hi-Point C9 9mm, SN P1600847.

IT IS FURTHER ORDERED that the United States Marshals Service, the Federal Bureau of Investigation, and/or a designated sub-custodian is directed to seize the property subject to forfeiture and further to make a return as provided by law.

IT IS FURTHER ORDERED that the United States will provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, notice of the Court's Preliminary Order and the United States' intent to dispose of the property in such manner as the Attorney General of the United States may direct, pursuant to 21 U.S.C. § 853(n)(1), and to make its return to this Court that such action has been completed.

IT IS FURTHER ORDERED that upon adjudication of all third-party interests, if any, the Court will enter a final order of forfeiture pursuant to 21 U.S.C. § 853(n)(7) and Fed. R. Crim. P. 32.2(c)(2), in which all interests will be

addressed.

DATED this 19th day of September, 2022.

A handwritten signature in blue ink, reading "Dana L. Christensen". The signature is written in a cursive style with a large initial "D".

Dana L. Christensen, District Judge
United States District Court